

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF Carrie M. Leo	COURT CASE NUMBER 20-CV-7039
DEFENDANT NYS Department of Environmental Conservation	TYPE OF PROCESS Service
<b>SERVE AT</b> { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN NYS Department of Environmental Conservation, Civil Process Clerk ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) United States Attorney's Office 555 Fourth Street N.W. Washington D.C. 20530	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	
Carrie M. Leo 3199 Walworth Road Walworth, NY 14568	Number of process to be served with this Form 285
	Number of parties to be served in this case
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold



Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

DATE  
4/29/21

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 3	District of Origin No. 55	District to Serve No. 55	Signature of Authorized USMS Deputy or Clerk <i>James M. O'Connell</i>	Date 5/3/21
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date  
5/17/21

Time

☐ am  
☐ pm

## U.S. Postal Service Certified Mail Receipt

Service Fee 8	Total Mileage Charges including endeavors -	Forwarding Fee -	Total Charges 8	Advance Dep
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REMARKS:

*Marked certified 5/3/21  
Returned - no jurisdiction - 5/17/21*

DISTRIBUTE TO:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

ARTICLE NUMBER: 9414 8169 0224 6689 5928 10

ARTICLE ADDRESSED TO:

NYS DEC  
Civil Process Clerk  
United States Attorney's Office  
555 Fourth Street  
Washington DC 20530-0001

### FEES

Postage Per Piece	\$3.750
Certified Fee	3.600
Total Postage & Fees:	7.350

Postmark  
Here

U.S. Department of Justice  
United States Marshals Service



**NOTICE AND ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT BY MAIL**  
United States District Court  
for the  
Western District of New York

TO: NYS Department of Environmental Conservation  
Civil Process Clerk  
United States Attorney's Office  
555 Fourth Street  
N.W. Washington DC 20530

Civil Action, File Number 20-CV-7039

Carrie M. Leo

v.

NYSDEC et al

The enclosed summons and complaint are served pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure, and New York State law.

You **MUST COMPLETE** the acknowledgment part of this form below, **AND RETURN COPIES 1 AND 2** to the sender within **21** days. An envelope has been enclosed for this purpose. Keep copy 3 for your records.

YOU MUST SIGN AND DATE THE ACKNOWLEDGMENT ON ALL COPIES. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return copies 1 and 2 of this form to the sender within 21 days, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and complaint in any other manner permitted by law.

If you do complete and return copies 1 and 2 of this form, you (or the party on whose behalf you are being served) must answer the complaint within 21 days for private defendants and/or 60 days for Federal defendants. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Complaint By Mail was mailed on this date.

**JENNIFER  
QUARTLEY**

Digitally signed by JENNIFER  
QUARTLEY  
Date: 2021.05.03 13:03:51 -04'00'

05/03/2021

Date of Signature

Signature (USMS Official)

**ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT**

I declare, under penalty of perjury, that I received a copy of the summons and of the complaint in the above captioned manner at:

555 Fourth Street

Street Number and Street Name or P.O. Box No.

N.W. Washington DC 20530

City, State and Zip Code

Relationship to Entity/Authority to Receive

Certified

Service of Process

Signature

Date of Signature

Copy 1 - Clerk of Court  
Copy 2 - United States Marshals Service  
Copy 3 - Addressee  
Copy 4 - USMS District Suspense

USM Form-299  
Rev. 05/10  
Automated 10/03



U. S. Department of Justice

Channing D. Phillips  
Acting United States Attorney

*District of Columbia*

*Judiciary Center  
555 Fourth Street, NW  
Washington, DC 20530*

May 11, 2021

**BY REGULAR MAIL**

U.S. Marshals Service  
Western District of New York  
2 Niagara Square, Suite 400  
Buffalo, NY 14202

**RE:** Improper Service

Dear Sir / Madam,

Our Office recently received papers from you concerning a pending legal action or matter. We are returning your correspondence because it was sent to our Office in error. Our Office does not have jurisdiction over the case or matter to which your papers pertain.

If you are attempting to serve the United States or its agencies, officials, or employees under Federal Rule of Civil Procedure 4(i)(1)(A) or other similar provision, you should serve your papers on the U.S. Attorney's Office for the judicial district in which your case is pending. Our Office is not authorized to accept service of papers pertaining to actions filed outside of our judicial district (i.e., the District of Columbia).

Also, please note that our Office is not authorized to accept papers required to be sent to or served on the Attorney General of the United States or other federal agencies, corporations, officers, or employees. *See, e.g.,* Fed. R. Civ. P. 4(i)(1)(B), 4(i)(2), 4(i)(3). To the extent that you are attempting to serve the U.S. Attorney General, your mailing must be sent by registered or certified mail to: U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

Ultimately, your mailing directed to the U.S. Attorney's Office for the District of Columbia was insufficient to effect proper service on the United States in the above captioned case or matter.

Sincerely,

CHANNING D. PHILLIPS  
Acting United States Attorney

By: 

BRIAN P. HUDAK  
Acting Chief, Civil Division



**U.S. DEPARTMENT OF JUSTICE**

**UNITED STATES MARSHALS SERVICE  
EASTERN DISTRICT OF NEW YORK**

**NIAGARA SQUARE, SUITE 400  
BUFFALO, NY 14202**

**OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300**

**CERTIFIED MAIL®  
CERTIFIED MAIL®**



9414 8169 0224 6689 5928 10

**NYS DEC  
Civil Process Clerk  
United States Attorney's Office  
555 Fourth Street  
Washington DC 20530-0001**

**X-RAYED**

**MAY 10 2021**

**DOJ MAILROOM**



**DOJ-FASS**



Tracking No: 9414816902246689592810

**JCB/MAILROOM  
MAILROOM - JCB - -**

**Building: JCB  
Room: MAILROOM  
Dept: MAILROOM  
Received On: 05/10/2021 08:02:44am  
Route:**

**\$7.35<sup>00</sup>**  
**US POSTAGE**  
**FIRST-CLASS**  
**FROM 14202**  
**05/03/2021**  
**stamps**  
**endicia**